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Crime prevention and criminal justice

The rule of law, crime prevention and criminal justice in the context of the Sustainable Development Goals

Note by the Secretariat

By its resolution 2018/17, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

The rule of law, crime prevention and criminal justice in the context of the Sustainable Development Goals

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and international law, which are the indispensable foundation of a more peaceful, prosperous and just world, and reiterating its determination to foster strict respect for them and to establish a just and lasting peace all over the world,

Taking note of the relevant provisions of the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels,[1] including that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations,

Mindful of its resolution 72/119 of 7 December 2017, entitled "The rule of law at the national and international levels", as well as all its previous resolutions on that topic,

Mindful also of its resolution 72/196 of 19 December 2017, entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity", as well as all its previous resolutions on that topic,

[1] General Assembly resolution 67/1.

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Mindful further of Economic and Social Council resolutions 2004/25 of 21 July 2004, 2005/21 of 22 July 2005 and 2006/25 of 27 July 2006 on strengthening the rule of law and the reform of criminal justice institutions, as well as the technical assistance activities of the United Nations crime prevention and criminal justice programme in that area, including in post-conflict reconstruction,

Recalling its resolutions 67/186 of 20 December 2012, entitled "Strengthening the rule of law and the reform of criminal justice institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking", and 68/188 of 18 December 2013, entitled "The rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015",

Aware of the importance of its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which includes the commitment to promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels, and in this respect recalling its resolution 70/299 of 29 July 2016 on the follow-up to and review of the 2030 Agenda at the global level,

Expressing its grave concern about the negative effects of all manifestations of transnational organized crime on development, peace, stability and security and human rights,

Convinced that the rule of law and development are strongly interrelated and mutually reinforcing and that the advancement of the rule of law at the national and international levels, including through crime prevention and criminal justice mechanisms, is essential for sustained and inclusive economic growth and sustainable development and the full realization of all human rights and fundamental freedoms,

Expressing appreciation for the ongoing efforts of Member States to promote the rule of law and strengthen crime prevention and criminal justice, including by integrating development programmes into their initiatives in this regard,

Convinced that the promotion of and respect for the rule of law at the national and international levels, as well as justice and good governance, should guide the activities of the United Nations and its Member States,

Emphasizing its commitment and strong political will in support of effective, fair, humane and accountable criminal justice systems and the institutions comprising them, encouraging the effective participation and inclusion of all sectors of society, thus creating the conditions needed to advance the wider United Nations agenda, and recognizing the responsibility of Member States to uphold human dignity, all human rights and fundamental freedoms for all, in particular those affected by crime and those who may be in contact with the criminal justice system, including vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and to prevent and counter crime motivated by intolerance or discrimination of any kind,

Encouraging Member States to consider using and applying the United Nations standards and norms in crime prevention and criminal justice to strengthen fair and effective criminal justice systems, bearing in mind the importance of the rule of law and its relevance for achieving the Sustainable Development Goals,

Stressing the significance of a well-functioning, efficient, fair, effective and humane criminal justice system as the basis for a successful strategy against transnational organized crime, corruption, terrorism, illicit drug production, manufacturing and trafficking, trafficking in persons and other dangerous forms of trafficking,

Recognizing the importance of the rule of law to all areas of engagement within the United Nations system, and noting with appreciation the progress made in ensuring coherence and coordination of activities to support the rule of law, in cooperation with the Rule of Law Coordination and Resource Group, while recognizing the different mandates of different United Nations entities,

Bearing in mind that the activities of the United Nations carried out in support of efforts by Governments to promote and consolidate the rule of law are undertaken in accordance with the Charter, and stressing the need to strengthen support to Member States, upon their request, in the domestic implementation of their respective international obligations through enhanced technical assistance and capacity-building,

Emphasizing the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[2] in which Member States recognized the importance of effective, fair, humane and accountable crime prevention and criminal justice systems and the institutions comprising them as a central component of the rule of law,

Encouraging Member States to develop and implement, as appropriate, comprehensive crime prevention policies and national and local strategies and action plans based on an understanding of the multiple factors that contribute to crime and to address such factors in a holistic manner, in close cooperation with all stakeholders, including civil society, and in this respect stressing that social development and the promotion of the rule of law, including the fostering of a culture of lawfulness while respecting cultural identities, in accordance with the Doha Declaration, should be integral elements of strategies to foster crime prevention and economic development in all States,

Aware that the high-level political forum on sustainable development, at its meeting in 2019, which will have as its theme "Empowering people and ensuring inclusiveness and equality", will review, inter alia, the implementation of Sustainable Development Goal 16,

Recalling Commission on Crime Prevention and Criminal Justice resolution 26/3 of 26 May 2017, entitled "Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime",[3]

1. *Reaffirms* the importance of its resolution 70/1, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which includes the commitment to promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels;

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[2] General Assembly resolution 70/174, annex.

[3] See *Official Records of the Economic and Social Council, 2017, Supplement No. 10* (E/2017/30), chap. I, sect. D.

2. *Urges* Member States to continue to recognize the cross-cutting nature of the rule of law, crime prevention and criminal justice and development, and recommends that such linkages and interrelationships be properly addressed and further elaborated, while reiterating the commitments made with regard to the implementation of the 2030 Agenda for Sustainable Development, in particular in connection with the achievement of Sustainable Development Goal 16;

3. *Renews its call upon* relevant entities of the United Nations system to continue cooperating and coordinating their activities, within their respective mandates, to promote a more integrated approach to the provision of assistance for building capacity in the area of the rule of law and criminal justice reform and to further explore joint projects in that area;

4. *Reiterates its invitation* to Governments to take into consideration the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice,[2] when formulating legislation and policy directives and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

5. *Emphasizes* the commitment expressed in the Doha Declaration to holistic and comprehensive approaches to countering crime, violence, corruption and terrorism in all their forms and manifestations, and to ensuring that those responses are implemented in a coordinated and coherent way, along with broader programmes or measures for social and economic development, poverty eradication, respect for cultural diversity, social peace and social inclusion;

6. *Urges* Member States to mainstream crime prevention strategies with a gender perspective that are aimed at children and youth into all relevant social and economic policies and programmes, including those addressing education, health, civic participation, socioeconomic opportunities, information and communications technology and public safety and security, in order to protect children and youth from social marginalization and exclusion and to reduce their risk of becoming victims or offenders, and to this end to strive to achieve all relevant Sustainable Development Goals, including Goals 3 to 5, 8 to 11, 16 and 17;

7. *Also urges* Member States to adopt integrated and comprehensive responses to violence against women in order to reduce risks of gender-related killing through early intervention and risk assessment, exercise due diligence to prevent, investigate, prosecute and punish gender-related killing of women and girls, ensure equal protection of women under the law and equal access to justice, consider adopting an integrated, multidisciplinary and gender-sensitive approach to the prevention, investigation, prosecution and punishment of gender-related killing of women and girls to minimize the risk of secondary victimization in the criminal justice system, develop appropriate mechanisms and enhance capacities for forensic investigations to identify human remains and missing persons and, to these ends, strive to achieve all relevant Sustainable Development Goals, including Goals 5 and 16;

8. *Invites* Member States to promote educational programmes related to crime prevention and criminal justice, in particular for young people, that foster an understanding of justice and the rule of law, which is an approach to be taken

by Governments towards the general public to promote trust and respect for the law and its enforcement, and, to these ends, to strive to achieve all relevant Sustainable Development Goals, including Goals 4 and 16;

9. *Also invites* Member States to intensify, in line with their domestic legal frameworks, national and international efforts to eliminate all forms of discrimination, including racism, religious intolerance, xenophobia and gender-related discrimination by, inter alia, raising awareness, developing educational materials and programmes and considering, where appropriate, drafting and enforcing legislation against discrimination and, to these ends, to strive to achieve all relevant Sustainable Development Goals, including Goals 4, 5, 8, 10 and 16;

10. *Encourages* Member States, with the active participation of the private sector, to promote crime prevention and social inclusion programmes and employability schemes for vulnerable members of society, including victims and those released from prison, and, to these ends, to strive to achieve all relevant Sustainable Development Goals, including Goals 1 to 5, 8, 10, 11 and 16;

11. *Also encourages* Member States to adopt effective measures to prevent and counter the serious problem of crimes that have an impact on the environment, such as trafficking in wildlife, including fauna and flora as protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora,[4] and poaching, as well as illicit trafficking in forest products, including timber, and, to these ends, to strive to achieve all relevant Sustainable Development Goals, including Goals 13 to 16;

12. *Acknowledges* the ongoing work of the United Nations Office on Drugs and Crime, within its mandate, in the area of education for justice, including under the Education for Justice initiative, which is a key component of the Global Programme for the Implementation of the Doha Declaration, and requests the Office to continue its efforts to promote education on the rule of law and justice in collaboration with the United Nations Educational, Scientific and Cultural Organization and other relevant stakeholders;

13. *Notes* that the main theme of the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Kyoto, Japan, in 2020, will be "Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda", and looks forward to fruitful discussions at the regional preparatory meetings and at the Congress on that subject;

14. *Invites* Member States participating in the regional preparatory meetings for the Fourteenth Congress to make specific proposals and recommendations in line with its theme, related to the advancement of the rule of law, for consideration by the Congress;

15. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to assist Member States in improving systems for collecting and analysing data on crime prevention and criminal justice at all levels, where necessary, including gender-specific data, in order to promote the rule of law and achieve sustainable development, and notes the application of the International Classification of Crime for Statistical Purposes;

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[4] United Nations, *Treaty Series*, vol. 993, No. 14537.

16. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, to strengthen the rule of law, taking into account the work undertaken by other United Nations entities, within existing mandates, as well as regional and bilateral efforts, and to continue to ensure coordination and coherence, including through the Rule of Law Coordination and Resource Group;

17. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to support, in an effective manner, its efforts towards the implementation of its mandates and, as appropriate, the global follow-up and thematic review relating to its existing mandates, which are essential for strengthening the maintenance of the rule of law at the national and international levels, including by providing special support to the Commission on Crime Prevention and Criminal Justice to enable it to actively contribute, as appropriate, to the global follow-up to and thematic review of progress made by Member States in the achievement of the Sustainable Development Goals as set forth in General Assembly resolution 70/299;

18. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to promote the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals, handbooks and capacity-building material developed and published by the United Nations Office on Drugs and Crime;

19. *Welcomes* the efforts of the Secretary-General towards stronger coordination and integration of rule of law assistance, through specialized and relevant international organizations, in order to enhance predictability, coherence, accountability and effectiveness in the delivery of rule of law assistance at the national and international levels, and encourages further participation by the United Nations Office on Drugs and Crime in such arrangements, in particular with regard to police, justice and corrections;

20. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to continue to include in their work programme the issue of the rule of law and the provision of assistance to States, at their request, in responding to the challenges posed to the rule of law and development, as well as to strengthen their efforts to support the implementation of the 2030 Agenda for Sustainable Development;

21. *Calls upon* Member States, international organizations and all relevant stakeholders to provide to the United Nations Office on Drugs and Crime their views on advancing crime prevention and criminal justice, in the context of Sustainable Development Goal 16, as well as their views on the contribution that the Fourteenth Congress, considering its main theme, could make to the furtherance of these issues, and requests the Office to report to the Congress on that matter;

22. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes set out in the present resolution, in accordance with the rules and procedures of the United Nations.

42nd plenary meeting
2 July 2018